

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

|                                 |   |                          |
|---------------------------------|---|--------------------------|
| <b>UNITED STATES OF AMERICA</b> | ) |                          |
|                                 | ) | <b>NO. 3:20-cr-00165</b> |
| <b>v.</b>                       | ) |                          |
|                                 | ) | <b>JUDGE CAMPBELL</b>    |
| <b>CALEB D. JORDAN</b>          | ) |                          |
|                                 | ) |                          |

**ORDER**

Pending before the Court is Defendant's motion to continue the trial currently set for September 13, 2022, and related deadlines. (Doc. No. 78). As cause for the continuance, counsel for Defendant state that although they have engaged in informed settlement negotiations, they are unable to consummate a plea agreement until certain experts retained by the defense complete their work. In addition, defense counsel needs additional time to complete the investigation, determine the appropriateness of pretrial motions and settlement, and prepare for trial. Defendant filed a Speedy Trial Waiver. (Doc. No. 78-1). The Government does not oppose the requested continuance. Defendant requests the trial be continued to January 31, 2023, or February 7, 2023, date that are agreeable to the defense and the Government.

The Motion to Continue is **GRANTED** and the trial is **CONTINUED** to January 31, 2023, at 9:00 a.m. The pretrial conference and all deadlines associated with the September 13, 2023 trial date are rescheduled as set forth in this Order. The Court will hold a pretrial conference on January 23, 2023, at 11:00 a.m. All lawyers who will participate in the trial must attend the pretrial conference. Pretrial motions shall be filed by December 15, 2022.

The Court concludes that the period of delay occasioned by the granting of the continuance is reasonable and excludable under the Speedy Trial Act, 18 U.S.C. §§ 3161, *et seq.* The Court

specifically finds that the interests of justice served by granting the continuance outweigh the interests of the public and Defendant in a speedy trial on the date previously scheduled. 18 U.S.C. § 3161(h)(7)(A),(B). Defendant is likely to be prejudiced if counsel is not adequately prepared for the trial despite due diligence, and the public interest will not be served if such prejudice ultimately requires this case to be retried.

Any plea agreement shall be consummated on or before January 16, 2023, and the courtroom deputy so notified. If a plea agreement is submitted, the hearing to take the plea will take place on January 23, at 11:00 a.m. On or before January 17, 2023, the parties shall submit to chambers the proposed plea agreement, and a document that lists the elements of each offense to which Defendant is pleading guilty and the statutory penalty for each, including period of incarceration, fine, and the applicable period of supervised release, and Defendant shall submit a plea petition.

If the case is to be tried, the parties shall file the following on or before January 17, 2023:

1. An agreed set of case specific jury instructions, with citations to supporting authorities.
2. Alternative versions of jury instructions on which there is not an agreement, with citations to supporting authorities.
3. An agreed verdict form or alternative versions.

The parties shall email a Word version of all proposed instructions and verdict forms that are filed to [ccampbellchambers@tnmd.uscourts.gov](mailto:ccampbellchambers@tnmd.uscourts.gov).

All notices under Federal Rule of Evidence 404(b) shall be provided by December 15, 2022. Motions in limine shall be filed on or before January 10, 2023, and responses shall be filed


on or before January 17, 2023.

Any motion to continue the trial shall be filed by January 17, 2023, and any response shall be filed by January 20, 2023. All motions to continue shall be accompanied by a Waiver of Speedy Trial Rights executed by Defendant or shall contain an explanation of why such Waiver is not attached.

The parties are forewarned that motions filed after the deadlines set forth herein may not be considered by the Court. Counsel for the parties shall comply timely with the discovery and motion provisions of L.Cr.R. 12.01 and 16.01.

Defendant shall attend all court proceedings in this case. If a defendant is in custody, the Government shall take all necessary actions to secure the timely presence of the defendant at all court proceedings. Counsel for Defendant shall make sure street clothes are available timely for Defendants at trial.

It is so **ORDERED**.

  
WILLIAM L. CAMPBELL, JR.  
UNITED STATES DISTRICT JUDGE